

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT  
for theFILED  
WILLIAMSPORT

OCT 20 2022

PER EA  
DEPUTY CLERKPaul Surine

Petitioner

v.

Case No.

4:CR-07-304-01

(Supplied by Clerk of Court)

Warden Tompson

Respondent

(name of warden or authorized person having custody of petitioner)

## PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

## Personal Information

1. (a) Your full name: Paul Surine  
 (b) Other names you have used: none N/A

2. Place of confinement:  
 (a) Name of institution: Allenwood complex Low  
 (b) Address: P.O. Box 1000  
White Deer PA. 17887

(c) Your identification number: \_\_\_\_\_  
 3. Are you currently being held on orders by:  
 Federal authorities     State authorities     Other - explain:

4. Are you currently:  
 A pretrial detainee (waiting for trial on criminal charges)  
 Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

If you are currently serving a sentence, provide:

(a) Name and location of court that sentenced you: Williamsport PA 17701  
240 W 3RD St Ste 218  
 (b) Docket number of criminal case: 4:CR-07-304-01  
 (c) Date of sentencing: 8-5-09

 Being held on an immigration charge Other (explain): 21:846 CTPWITD an Distribution of at least 50gms and more of cocaine base (crack)

## Decision or Action You Are Challenging

5. What are you challenging in this petition:

How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

Pretrial detention

Immigration detention

Detainer

The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)

Disciplinary proceedings

Other (explain): Public Safety factor

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Williamsport Federal court

Public Safety factor

(b) Docket number, case number, or opinion number: 4:CR-07-304-01

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

Public Safety factor on a case I spent 10 months  
for on work release working at Tioga County  
Court house, you can not work with a Public Safety

(d) Date of the decision or action: UNKNOWN

## Your Earlier Challenges of the Decision or Action

7. First appeal

Did you appeal the decision, file a grievance, or seek an administrative remedy?

Yes       No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(b) If you answered "No," explain why you did not appeal: Did not no of the Public Safety factor

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

Yes  No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

(b) If you answered "No," explain why you did not file a second appeal: N/A

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

Yes  No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: N/A

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(b) If you answered "No," explain why you did not file a third appeal: N/A

## 10. Motion under 28 U.S.C. § 2255

In this petition, are you challenging the validity of your conviction or sentence as imposed?

 Yes  No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

 Yes  No

If "Yes," provide:

(1) Name of court: Williamsport ~~PA~~(2) Case number: 4:CR-07-304-01(3) Date of filing: unknown(4) Result: Time barred(5) Date of result: unknown(6) Issues raised: Drug weight, ineffective counsel and many others

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

 Yes  No

If "Yes," provide:

(1) Name of court: Phila PA 19106(2) Case number: 4:CR-07-304-01(3) Date of filing: unknown(4) Result: Denied(5) Date of result: unknown(6) Issues raised: Drug weight, ineffective counsel and many others

## AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: Time barred

## 11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

Yes  No

If "Yes," provide:

(a) Date you were taken into immigration custody: \_\_\_\_\_

(b) Date of the removal or reinstatement order: \_\_\_\_\_

(c) Did you file an appeal with the Board of Immigration Appeals?

Yes  No

If "Yes," provide:

(1) Date of filing: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Result: \_\_\_\_\_

(4) Date of result: \_\_\_\_\_

(5) Issues raised: \_\_\_\_\_

(d) Did you appeal the decision to the United States Court of Appeals?

Yes  No

If "Yes," provide:

(1) Name of court: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Case number: \_\_\_\_\_

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

Yes

No

If "Yes," provide:

(a) Kind of petition, motion, or application: \_\_\_\_\_

(b) Name of the authority, agency, or court: \_\_\_\_\_

(c) Date of filing: \_\_\_\_\_

(d) Docket number, case number, or opinion number: \_\_\_\_\_

(e) Result: \_\_\_\_\_

(f) Date of result: \_\_\_\_\_

(g) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE: Public Safety factor

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(a) Supporting facts (Be brief. Do not cite cases or law.):

The case that is yoused is one I spent 10 months in the Tioga County Prison on work release working at the Tioga County Court House. I had no public Safety factor Then or I could not of work at the Court House or been on work release.

(b) Did you present Ground One in all appeals that were available to you?

Yes  No

GROUND TWO: F.S.A. credits for good time off your sentence

(a) Supporting facts (Be brief. Do not cite cases or law.):

They say I'm not programming when I'm working at the Unicor Prison Industry. When I was at the medium at West Virginia Gilmer I was told that unicor was a premium program and not to worry about any other programming. But this place says I'm not programming. I do not understand all this.

(b) Did you present Ground Two in all appeals that were available to you?

Yes  No

GROUND THREE: Robbery used to deny me any Reductions

(a) Supporting facts (Be brief. Do not cite cases or law.):

I have never been charged with a robbery or convicted of robbery.

(b) Did you present Ground Three in all appeals that were available to you?

Yes  No

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

GROUND FOUR: Drug weight

(a) Supporting facts (Be brief. Do not cite cases or law.):

Testimony of Mary K Gregus she bought once a week for ~~the~~ 6 months Theres 26 weeks at most in 6 months which is 26 onces not the 4.0 kilograms They say. 26 onces is not even 1.0 kilogram.

(b) Did you present Ground Four in all appeals that were available to you?

Yes  No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Did not have all the information to file a lot of these issues.

Request for Relief

15. State exactly what you want the court to do: To fix These Problems if its in There Power to do so Please and Thank you.

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

10-14-2022

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 10-14-2022

Paul Surine #14126-067

*Signature of Petitioner*

*Signature of Attorney or other authorized person, if any*

INMATE NAME/NUMBER: Paul Surine #14126-067  
FEDERAL CORRECTIONAL COMPLEX-ALLENWOOD COW  
P.O. BOX 100  
WHITE DEER, PA 17887

RECEIVED  
WILLIAMSPORT  
OCT 20 2022  
PER EA  
DEPUTY CHIEF

14126-067-C  
Office Of The Clerk (SAC)  
Middle District Of PA  
240 W 250 ST  
U.S. Courthouse, Bldg 313  
Williamsport, PA 17764-4450  
United States

